

PATENT COOPERATION TREATY

00 w/o file

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

KENT H. CHENG
COHEN, PONTANI, LIEBERMAN & PAVANE
551 FIFTH AVENUE, SUITE 1210
NEW YORK, NEW YORK 10176

INVITATION TO CORRECT
DEFECTS IN THE DEMAND

(PCT Rule 60.1)

Date of mailing
(day/month/year)

02 FEB 2004

Applicant's or agent's file reference

4830-30PCT

REPLY DUE

within **ONE MONTH** from
the above date of mailing.
See also below.

International application No.

PCT/US03/19676

International filing date
(day/month/year)

20 Jun 2003

Applicant

GENZYME CORPORATION

The applicant is hereby **invited** within the time limit indicated above to **correct the following defects** which this International Preliminary Examining Authority has found in the demand for international preliminary examination:

1. ☐ It does not contain the election of at least one Contracting State bound by Chapter II (Rules 53.2(a)(iv) and 53.7).
2. ☐ It does not permit identification of the international application to which it relates (Rule 60.1(b)).
3. ☐ It does not contain the required petition (Rules 53.2(a)(i) and 53.3).
4. ☐ It does not contain the required indications concerning the agent as specified in the Annex (Rules 53.2(a)(ii) and 53.5).
5. ☐ It does not contain the required indications concerning the international application as specified in the Annex (Rules 53.2(a)(iii) and 53.6).
6. ☐ It is not submitted in the required language which is: _____ (Rule 55.1).
7. ☐ It is not made on the printed form (Rule 53.1(a)).
8. ☐ It is presented as a computer print-out the particulars of which do not comply with the Administrative Instructions (Rule 53.1(a)).
9. ☒ It does not contain the required indications concerning the applicant as specified in the Annex (Rules 53.2(a)(ii) and 53.4).
10. ☐ It does not contain the required signature as specified in the Annex (Rules 53.2(b) and 53.8).

Effect of the date of receipt of the corrections on the date of receipt of the demand:

- (i) If the defects noted under items 1 and 2 are corrected within the time limit indicated above, the demand shall be considered as if it had been received on the date when the corrections are received (Rule 60.1(b)). If that date is later than the expiration of 19 months from the priority date, entry into the national phase before the elected Offices will **NOT** be postponed until the expiration of 30 months from the priority date.
- (ii) If the defects noted under items 3 to 10 are corrected within the time limit indicated above, the demand shall be considered as if it had been received on the actual filing date (Rule 60.1(b)).

Effect of failure to correct the defects within the time limit indicated above:

- (i) In the case of defects noted under items 1 to 8, this Authority will declare that the demand is considered as if it had not been submitted.
- (ii) In the case of defects noted under items 9 and 10, this Authority will declare that the election(s) of the State(s) concerned is(are) considered as if it(they) had not been made.

A copy of this invitation has been sent to the International Bureau.

Name and mailing address of the IPEA/

Mail Stop PCT, Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Authorized officer

Tyetta Staton

Facsimile No. 703-305-3230

Telephone No. 703-305-3671

Form PCT/IPEA/404 (July 1998)

P05159 W000

Continuation of item 4: As to indications concerning the agent (Rule 4.4), the demand:

- a. ☐ does not properly indicate the agent's name (*specify*):
- b. ☐ does not indicate the agent's address.
- c. ☐ does not properly indicate the agent's address (*specify*):

Continuation of item 5: As to indications concerning the international application, the demand does not indicate:

- a. ☐ the international filing date.
- b. ☐ the international application number.
- c. ☐ the name of the receiving Office, where the international application number was not known to the applicant at the time the demand was filed.
- d. ☐ the title of the invention.

Continuation of item 9: As to indications concerning the applicant (Rules 4.4 and 4.5), the demand:

- a. ☒ does not indicate all the applicants for the elected States.
- b. ☐ does not properly indicate the applicant's name (*specify*):
- c. ☒ does not indicate the applicant's address.
- d. ☐ does not properly indicate the applicant's address (*specify*):
- e. ☐ does not indicate the applicant's nationality.
- f. ☐ does not indicate the applicant's residence.

Continuation of item 10: As to requirements concerning signature (Rules 4.15 and 90.4), the demand:

- a. ☐ is not signed.
- b. ☐ is not signed by all the applicants for the elected States.
- c. ☐ is not accompanied by the statement referred to in the check list in Box No. VI of the demand explaining the lack of the signature of an applicant for the election of the United States of America.
- d. ☐ is signed by what appears to be an agent/common representative but
 - ☐ the demand is not accompanied by a power of attorney appointing him.
 - ☐ the power of attorney accompanying the demand is not signed by all the applicants for the elected States.